

Wagon

Traverse 13 South Range 32 S 23 W

Under Sec. 1 the Section of Sec. 1. The Sec. 1
to be built and paid and after opening to be closed
by applicant

SEC. 1 SEC. 2 SEC. 3 SEC. 4

Wagon
to Benida Spring

SEC. 1 SEC. 2 SEC. 3 SEC. 4

State of Idaho

License and Certificate of Water Right

Water License No. 12423
 Water District No. 5 J.

Amount .125 sec.ft.
 Priority Aug. 7, 1916.

THIS IS TO CERTIFY that H. H. Allen, Jr. ^(see app. kw 1/20/86)
 of Banida, Idaho, made application for a permit to appropriate the
 public waters of the State of Idaho, dated Aug. 7, 19 16; that Permit No. 12423
 was issued under said application; that Certificate of Completion of works, with a carrying capacity of .125
 second feet, was issued thereunder on August 7, 19 17, showing that said works
 were completed on the 25th day of July, 19 17; and that on the 1st
 day of September, 19 17,

H. H. Allen, Jr.
 of Banida, State of Idaho, made proof to the satisfaction of the
Commissioner of Reclamation, State Engineer of Idaho, of a right to the use of the waters of unnamed spring
 a tributary of ---, for the purpose of domestic use
 under Use Permit No. 12423 Commissioner of Reclamation
of the State Engineer, and that said right to the use of said
 waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State
Commissioner of Reclamation Engineer of Idaho and entered of record in Volume 5 of Licenses, at page 2587, on the 25th
 day of August, 19 20;

The right hereby confirmed dates from August 7, 19 16;

The Point of Diversion is located
 in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 19, Tp. 13 S., R. 39 E., B. M.
County of Bannock.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
 aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not
 exceed 0.125 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
<u>13 S.</u>	<u>39 E.</u>	<u>19</u>	<u>Domestic use in SE$\frac{1}{4}$ SE$\frac{1}{4}$</u>		

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of
 use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the Commissioner of Reclamation
State Engineer, affixed at Boise, Idaho, this 25th
 day of August, 19 20

W. G. Burdison,
Commissioner of Reclamation State Engineer

(SML)

By S. T. Baer, Deputy.

Application No. 17885
Permit No. 12423.

APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

District No. 5-A.

1. Name of applicant: H. E. Allen, Jr.

Postoffice address: Bani da

County: Franklin

State: Idaho.

I. If applicant is a corporation, give

- (a) Date and place of incorporation:
- (b) The amount of capital stock:
- (c) The amount paid in:
- (d) Names and addresses of directors:

II. The financial resources of the applicant are: (a) Cash on hand:

- (b) Treasury stock: (c) Bonds to be issued:
- (d) Other resources:

2. The quantity of water claimed is one-eighth cubic feet per second.

3. Source of water supply: Unnamed spring.

4. Location of point of diversion: SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 19, T. 13 S., R. 39 E.B.M.

County of Bannock.

5. To be used for: Watering stock in Pasture (Domestic purposes)

- I. Irrigation and domestic use: (a) Amount of land to be irrigated: acres.
- (b) In the following legal subdivisions:

II. Mining, milling, power, manufacturing, transportation or other purposes:

(a) At what point:

(b) Amount of power to be generated:

H. P. under ft. head

(c) Is water to be returned to any stream?
point of return:

(d) If so, name stream and locate

6. Estimated cost of works: \$100.00

7. Description of works for diversion:

I. Kind of works: Reservoir and Vats.

II. Dimensions of works:

(a) Height of dam 6 feet, length of dam at top 8 feet,

length of dam at bottom 6 feet. Material used in construction: Lumber, cement and gravel.

(b) Capacity of reservoir acres feet. (c) Size of headgate, width half inch valve. feet,

Height feet. (d) Conduit width at bottom feet,

width at water line feet, depth of water feet; diameter of pipe

one inches; average grade per mile is feet. Length of ~~main~~ pipe (about 100 feet) miles,
and it crosses the following quarter sections:

8. The time required for the completion of the construction of such work is one years.

9. Time required for the complete application of the water to the proposed use is none additional years.

BE IT KNOWN That the undersigned hereby makes application for a permit to appropriate the public waters of the State of Idaho as herein set forth.

H. E. Allen, Jr.

Applicant.

By

Agent.

Date of first receipt at office of State Engineer 9:00 A.M. August 7, 1916.

Returned to applicant for correction

Corrected application received

APPROVAL OF STATE ENGINEER

The number of this permit is 12423.

Recorded in Book 43 Page 12423 Approved August 19, 1916.

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of _____ to be filed on or before

Work to begin on or before October 18, 1916. and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before February 19, 1917

The whole of said work to be completed on or before August 19, 1917.

Beneficial use of water appropriated in accordance herewith, to be made on or before August 19, 1917.

Witness my hand this 19th day of August, 1916.
J. H. Smith,

State Engineer.

Remarks:

14. The land to be irrigated is described in the following tabulation: None.

15(a) Is reservoir to be used? No.

The water is used for animals grazing on parts of the S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 19, T. 13, Range 39.

Proof of completion of works made July 25, 1917.

Certificate of completion of works issued August 11, 1917.

Permit No. 12423.

CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that H. H. Allen, Jr., of Coulan, County of Bannock, and State of Idaho, the holder of Permit No. 12423, issued upon Application No. 17885, bearing date of priority of August 7, 1916, authorizing the diversion of 1/8 of 1 second foot of the waters of an unnamed spring, County of Bannock, State of Idaho, for domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 1/8 of 1 second foot of the waters of said unnamed spring; that the point of diversion of said waters is in the SE $\frac{1}{4}$ of SE $\frac{1}{4}$, Sec. 19 T. 13 S., R. 39 E., B. M., and that the place of use of said water is in the S $\frac{1}{2}$ of SE $\frac{1}{4}$, Sec. 19, T. 13 S., R. 39 E., B. M.

Witness my hand this 11th day of August, A. D. 1917.

J. H. Smith,

State Engineer of the State of Idaho.

August 31, 1920.

Re: Permit 12423.

Mr. H. H. Allen, Jr.,
Banida, Idaho.

Dear Sir:

You will find enclosed License and
Certificate of Water Right issued under the above num-
bered permit, together with receipt for fees paid.

Yours very truly,

W. G. Swendsen,
Commissioner of Reclamation,

By _____

12423

REPORT OF ENGINEER

This proof is for Beneficial UseIn Water District No. 5-J

1. State name of applicant and number of permit: H.H.Allen, Jr.- Permit 12423
2. State source of water supply: Unnamed Spring
3. Location of point of diversion: SE¹/₄ SE¹/₄ Sec.19, T. 13 S., R. 39 E., B.M.
4. Describe works as they exist, giving dimensions and capacities of same:

Pit dug at Spring, 8' x 9' x 9' Deep, curbed with plank.
1/2 in. PIPE 165' long from spring to concrete watering-trough
5' W. 9' L. 2' D.
5. State whether or not water has been turned into works of diversion: Yes.
6. Give exact location of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation): Domestic purposes- watering stock.
7. Submit map on enclosed plat, showing location and details of above description.
8. How many parties conduct water in this system? One.
9. Give names and amount of each right: H.H.Allen.
10. What large stream would the water here appropriated finally reach?
11. Describe the various tributaries en route, from point of diversion to the principal drainage stream:

Remarks: Pipe to trough has been cut and water is running to
another trough.

This examination was made on the 12th day of May. 19 20(Signed) L. R. Annett.
L. R. Annett.

Examiner.

OVER

12423

H.H. Allen, Jr.

7444 Oxford, Ida. R.D.#1.

12423

10 23 51 1912

Instructions to Examiners

1. Examiners will not be permitted to examine any of the receipts in the office pertaining to this permit. They are to furnish a report of the facts and conditions as they exist, from their own observations and inquiries.
2. Always carefully note the location of the point of diversion, and accurately plat same.
3. Find out how many parties own right in the ditch or canal and give their names and amount of right.
4. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
5. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
6. If any unusual conditions are discovered, make a plain statement of them under remarks.
7. Always see the holder, if possible, and go over the whole ground with him, and make your report only upon actual existing facts and conditions.

(This report must be sworn to when not made by an attaché of the office.)

STATE OF IDAHO,

ss.

County of _____

_____ being first duly sworn, deposes and says that the

statements contained in the within report are correct to the best of his knowledge and belief.

Subscribed and sworn to before me this _____ day of _____ 19____

My commission expires _____

Notary Public.

NAME OF APPLICANT.

CT

○ ○ ○

23

4138.5395

[Handwritten signature]

SCALE: 2 INCHES=1 MILE. DRAW PLAN IN INK.

124'23

September 20, 1917.

Re: Permit No. 124²33.

Mr. H. H. Allen, Jr.,
Banida, Idaho.

Dear Sir:

Am in receipt of fees in the sum of
\$5.00 for final proof under above permit.
License will be issued as soon as the
report can be made by our engineer.

Very truly yours,

J. R. Smith,

State Engineer.

By

CB/MB

12423

September 13, 1917.

Re: Permit No. 12423.

Mr. H. H. Allen, Jr.
Bonida, Idaho.

Dear Sir:

Am in receipt of deposition, affidavit of publication and Money Order for fees in the sum of \$2.00 for proof of beneficial use of water under above permit. As soon as the examination can be made by our engineer, the matter of issuing license will be taken up.

In regard to fees, would say that where the water is used for other than irrigation purposes, the fee for beneficial use is \$5.00. Money Order for \$2.00 is therefore herewith returned to you. Am also enclosing letter for our information relative to this examination.

Very truly yours,

J. H. Smith,

State Engineer.

Enc: Blank.

M.O. 03419-#2

By _____

CE/MB

12423

PERMIT No. I2423**Proof of Application of Water to Beneficial Use****DEPOSITION OF HOLDER**

OFFICE OF STATE ENGINEER

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. H.H. Allen Jr 32 Banida Idaho, Farmer addressCoulem Franklin County Idaho

Ques. 2. If acting in behalf of a corporation, state its name, principal place of business (if a foreign corporation, give name and postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf.

Ans. I am not acting as agent.

Ques. 3. State number and date of permit, and date of priority you propose to establish under the permit.

Ans. Permit No. I2423 Date Date of Priority August 7th 1916

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. Unnamed Spring ~~of~~ supposed to be on the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec 19 Tp13 South of Range 39 E.B.M.

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use.

Ans. The water is conveyed from the un-named spring through half inch pipe to a Cement Vat (About four feet wide by ten feet long, four feet deep) the pipe running full during April May and June, during the balance of the year running a little less.

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have actually been irrigated with said water.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. The water is used for domestic ~~use~~ purposes

Ques. 7. If for other than irrigation purposes, state how applied, amount of horse power generated, etc.

Ans. The water is not used for Irrigation purposes and is insufficient for power purposes.

Ques. 8. What is the minimum amount of water required for the use specified above?

Ans. The water will all be used for domestic purposes, estimated $\frac{1}{8}$ of one second foot.

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans. I am the person who applied for the water

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.

Ans. The vat was completed and the water commenced to run into said VAT November 1916. All that would run through the half inch pipe.

The water has continued to run since that time till a few days ago in to sad vat

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and rights claimed thereunder.

Ans. No other waters has been applied. There are no others water in the neighborhood except flud waters from melting snows during the spring.

(Sign)

M. H. Allen Jr.

I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Preston 7/22/17, County of Franklin State of Idaho, on this 1st day of September A. D. 1917.

George R. Brown
United States Commissioner

12423

Permit No. 12423-----

Proof of Application of Water to Beneficial Use

DEPOSITION OF WITNESS

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. Henry H Allen 55 years of age, Cove Cache Co Utah

Occupation a Farmer. Address Cove Cache Co Utah .

Ques. 2. Are you acquainted with H.H.Allen Jr, the

holder of Permit No. 12423---? How long have you known him and where does he reside?

Ans. I have known him for thirty two years. He now resides at

Barida Franklin County Idaho

Ques. 3. Have you read or heard read said Permit No. 12423, and are you familiar with its provisions and conditions?

Ans. I have read the permit and am well acquainted with the same.

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. The water is from an UN-NAMED SPRING supposed to be on the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 19 in Township 13 South of Range 39 E.B.M. And is conveyed to a cement vat about fifty feet from the said spring through a half inch pipe

Ques. 5. How many second-feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. I estimate about 1/8 of one second foot can be conducted to the vat

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. The water is used for domestic purposes

Ques. 7. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. It is not used for power purposes

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. Not used for irrigation

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. I have no interest in the works, water or land above mentioned

Ques. 10. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. I witnessed the application to beneficial use the water in 1916 and 1917, through a pipe into said vat all that would run through the half inch pipe estimated about 1/8 of one second foot

(Sign) *Henry H. Allen*

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Preston, County of Franklin

State of Idaho, on this 1st day of September A. D. 1917

Henry H. Allen
United States Commissioner

My commission expires

12423

Permit No. I2423

Proof of Application of Water to Beneficial Use

DEPOSITION OF WITNESS

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. Ezra J Allen. 46 years of age, residence Banida Franklin Co
Idaho. By occupation I am a farmer. Address Banida Franklin Co Idaho

Ques. 2. Are you acquainted with H.H. Allen Jr, the holder of Permit No. I2423? How long have you known him and where does he reside?

Ans. I am acquainted with H.H. Allen Jr. I have known him eight years
and he now resides at Banida Franklin Co Idaho

Ques. 3. Have you read or heard read said Permit No. I2423, and are you familiar with its provisions and conditions?

Ans. I have read the permit and well acquainted with its contents

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. The water is from an UN*NAMED SPRING estimated to be on
SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 19 Township 13 South of Range 39 E.B.M. The water
water is conveyed through half inch pipe about seventy five feet to
a cement VAT.

Ques. 5. How many second-feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. I estimate about 1/8 of one second foot will be conducted to
the place of use, or vat.

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. The water is used for watering cattle & horses? So far as
known it has never been used for any other purpose.

Ques. 7. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. It has never been used for power or irrigation purposes.

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. It has not been used for irrigation.

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. I have no interest in the works, water or land.

Ques. 10. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. I saw the water used to water cattle and horses during the spring of 1917. By being conveyed to the vat through half inch pipe the pipe was about full

(Sign)

Geo. J. Allen

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Preston, County of Franklin

State of Idaho, on this 1st day of September A. D. 1917

George H. Lamm
United States Commissioner
Notary Public

My commission expires

12423

Affidavit of Publication

STATE OF IDAHO, }
County of Franklin } ss

NOTICE FOR PUBLICATION

Notice of Proof of Application of Water to Beneficial Use.

Notice is hereby given that it 10 a.m. on the 1st day of September, 1917, at Preston, Idaho, County of Franklin, State of Idaho, before United States Commissioner, George H. Carver, proof will be submitted of the application to beneficial use of 25-100 cubic feet per second of the waters of Unamed spring in accordance with the terms and conditions of Permit No. 12423 heretofore issued by the State Engineer of the State of Idaho.

1. The name and postoffice address of the person or corporation

holding said permit are H. H. Allen, Jr., Coulam, Franklin, County, Idaho.

2. The use to which said water has been applied is Domestic purposes, (watering stock).

3. The amount applied to beneficial use is 25-100 cubic feet.

4. The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) on the ground hill pasture from where the spring commences.

5. The name of the canal or ditch or other works by which said water is conducted to such place of use is, I conduct the water in a half-inch pipe into a vat used for watering stock.

6. The right to take water from such works is based upon Permit No 12423.

7. The source of supply from which such water is diverted is from a spring on the SE 1/4 SE 1/4 Sec. 16 T. 13 S of Range 39 E. R. M.

8. The date of the priority which said user is prepared to establish is August 17, 1916.

J. H. SMITH,

State Engineer.

last issue Aug 23.

I, Hartman L. Roe Jr., do solemnly swear that I am one of the publishers of the FRANKLIN COUNTY CITIZEN, a weekly newspaper of general circulation published each week at Preston, Idaho; that the notice attached hereto and which is a part of this affidavit, and a part of the proof of publication, was published in said newspaper for 4 consecutive weeks, the first publication having been made on the 2nd day of Aug 1917 and that the last publication was made on the 23rd day of Aug, 1917 that said notice was published in the regular issue of every number of the paper during the periods and times of publication, and that the said notice was published in the newspaper and not in a supplement.

Subscribed and sworn to before me this 23rd day of August, 1917.

Jesse P. Nick
Notary Public.

I, _____, Register, do hereby certify that a notice, a printed copy of which is hereunto annexed, was by me posted in a conspicuous place in my office for a period of thirty days, I having posted said notice on the _____ day of _____ 191__.

12423

August 23, 1917.

Re: Permit 12423.- H. H. Allen, Jr.

Messrs. Smith, Ericksen & Condie, Attorneys,
Preston, Idaho.

Gentlemen:

Replying to yours of the 21st inst. relative to the above water right, would say, that the point of diversion is given in the permit in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 19, T. 13 S., Range 39 E. 1. M.

We have no regular form for filing notices. Sworn affidavit should be filed in this office prior to the date set for proof. This affidavit should set forth fully the facts which your client wishes to be brought before the State Engineer, in regard to the water filed upon.

Yours very truly,

J. H. SMITH,

State Engineer.

By _____

CB/ME

12423

SMITH, ERICKSEN & CONDIE
ATTORNEYS-AT-LAW
1-2-5 LARSON BLOCK
PRESTON, IDAHO

August 21st, 1917.

State Engineer,

Boise, Idaho,

Dear Sir:

12423
We notice from the Franklin County Citizen that a notice has been published by one Mr. H. H. Allen Jr., giving notice to proove up on a certain spring situated on the South East quarter of the South East quarter of Sec. 19 Tp., 13 South, range 39 E. B. M., same being set for September 1st, 1917. This is to enquire if the section is properly given. Mr. James Frew the holder of application No. 18541, permit No., 12960 claims the same water., Under date of aproval by you of May 28th 1917, and he is given until November 20th 1918 in which to complete his proof. Mr. Frew states that very likely the water applied for by Mr. Allen is the water that he previously filed on, and this is therefore to inquire if there is a mistake in the section in the notice of Mr. Allen. And this is further to request the necessary blanks to contest the application of Mr. Allen, as Mr. Frew is the rightful owner of the same if it is the spring that is in question. Will you kindly inform us fully as to this matter, and forward us the necessary blanks by return of mail.

Very sincerely,

C:

SMITH, ERICKSEN & CONDIE

12423

STATE OF IDAHO
ENGINEERING DEPARTMENT

BOISE

August 14, 1917.

Re: Permit No. 12423.

Mr. H. H. Allen Jr.

Coulam, Idaho.

To facilitate the examination to be made by this Department in connection with proof under above permit, you are requested to fill in answers to the following questions and return this sheet to State Engineer, Boise, at once.

J. H. SMITH,

State Engineer.

1. What is nearest and most convenient railroad or stage station to the land covered by permit? Oxford Idaho
2. What is best means of reaching the land, automobile or team?
By team
3. Do you live on the place? no
4. If not, where is your residence? Coulam Idaho
5. If you do not live on the place is there a tenant living there? no
If so what is his name? _____
6. If there are several roads from the station named above to the place, state briefly which road is best to take.
Take main road east about $\frac{3}{4}$ mile from track on south, then turn in my field and spring is at extreme end of field east.

If you wish to come to my residence I live 1 mile east of Coulam station and I could meet you and take you from there to the claim

your Friend

H. H. Allen Jr.

12423

STATE OF IDAHO
ENGINEERING DEPARTMENT

BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE

Mr. H. H. Allen, Jr.,

c/o Geo. H. Carver, U. S. Commissioner,
Preston, Idaho.

BOISE, IDAHO, August 14, 1917.

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of application of water to beneficial use under your Permit No. 12423

DEPOSITION OF PERMIT HOLDER,

DEPOSITIONS OF TWO WITNESSES.

In submitting this proof the following instructions should be CAREFULLY followed out, since failure to do so may result in the loss of your rights:

1. On Sept. 1st, 1917, the date set for the proof of application of water to beneficial use, the enclosed deposition forms (one for permit holder and one each for two witnesses) should be filled out and sworn to, at Preston before Geo. H. Carver, U. S. Com.

2. When the depositions have been taken they should be mailed to this office, together with affidavit of publication of notice and fee of \$2.00 for each 40-acre tract, or fraction, to which water has been applied. When these have been received together with report of examining engineer, if everything is properly executed, License will issue.

Yours truly,

J. H. Smith,

State Engineer.

12423

August 13, 1917.

Re: Permit # 12423.

Mr. H. H. Allen, Jr.,
Coulam, Idaho.

Dear Sir:

Enclosing herewith Certificate of
Completion of works, issued under above
permit, with receipt for fee.

Yours very truly,

J. H. SMITH,

State Engineer.

By

CB/MB
CCW
R- 749

12423

(P. O.)

(Date)

State Engineer, Boise.

Dear Sir:

I have your letter of 30th ult. enclosing Notice of Proof
of Beneficial Use of Water under Permit No. 12423 which will be pub-
lished as you request, beginning with our issue of Aug. 2-1917

12423.

July 30th, 1917.

Re Permit 12423.

H. H. Allen, Jr.,
Conlan, Idaho.

Dear Sir:—

Am just in receipt of your affidavit for proof of completion of works, together with check for fees and notice of final proof. The certificate of completion will be issued in due course.

Notice of final proof has been mailed to the Franklin County Citizen, at Preston, for the required four weeks publication prior to September 1st, the date set for proof. It was necessary to change the date for proof from August 19th to September 1st in order to allow time for the required four weeks publication.

Deposition blanks will be mailed to Geo. H. Carger, U.S. Commissioner at Preston.

Very truly yours,

J. H. SMITH,

State Engineer.

By_____

12423

NOTICE FOR PUBLICATION

Notice of Proof of Application of Water to Beneficial Use

Notice is hereby given that at 10 a. m. on the 1st ~~12th~~ day of September ~~August~~, 1917,
 at Preston Idaho, County of Franklin, State of Idaho,
 before United States Commissioner, George H Carver, proof will be submitted
 of the application to beneficial use of 25/100 cubic feet per second of the
 waters of Unnamed spring in accordance with the terms and conditions of
 Permit No. 12423 heretofore issued by the State Engineer of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are
H.H. Allen Jr Coulam Franklin Co Idaho
2. The use to which said water has been applied is Domestic purposes
(Watering Stock)
3. The amount applied to beneficial use is 25/100 Cubic Feet
4. The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) On the ground hill pasture from where the spring commences
5. The name of the canal or ditch or other works by which said water is conducted to such place of use is I conduct the water in an Half Inch pipe into a vat used for watering stock.
6. The right to take water from such works is based upon Permit No. 12423
7. The source of supply from which such water is diverted is From a spring
on the SE 1/4 Sec 19 Tp 13 S of Range 39 E.B.M.
8. The date of the priority which said user is prepared to establish is Aug 17 1916
July 1916

J. H. SMITH.

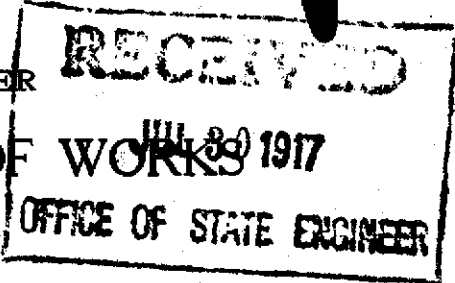
State Engineer.

Permit No. 12423

OFFICE OF STATE ENGINEER

PROOF OF COMPLETION OF WORKS

AFFIDAVIT OF HOLDER



STATE OF IDAHO,

County of Bannock } SS.

H. H. Allen Jr, being first duly sworn upon his oath deposes and says:

First: That he is the holder and owner of Permit to appropriate the Public Waters of the State of Idaho, No. 12423 and that his postoffice address is Baldwin, Col. Id. State of Idaho.

Second: That the name of the stream from which said water is to be diverted is unknown.

Third: That the point of diversion of said water is line In the SE 1/4 Sec 19 in Tp 13 South Range 39 E.B.M. Near the East

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by Aug. 19, 1917.

Fifth: That the use for which said water is intended is Domestic purposes

Sixth: That on the date above mentioned, the works constructed under said permit were (x) ~~were~~ not fully completed and consisted of the following:

I. Kind of works: Reservoir - and piped to cement
vat.
(Reservoir, dam, ditch, flume, pipe or otherwise)

II. Dimensions of work: vat is 12 ft long 5 ft wide at bottom kept at top high 4 ft.

(a) Height of dam _____ feet, length of dam at top _____ feet, length of dam at bottom _____ feet. Material used in construction concrete

(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir 160 cubic ~~are~~ feet.

(c) Size of headgate: Width _____ feet, height _____ feet.

(d) Conduit pipe width at bottom _____ feet, width at water
(State whether ditch, flume or pipe)

(line _____ feet, depth of water _____ feet; diameter of pipe 1/2 inch inches; average grade per mile is 15 feet. Length of conduit is _____ miles.

Seventh: That said works are capable of conducting to the place of intended use all the water in the 1/2 in ^{pipe} second feet of water.

Eighth: That water appropriated under said permit is available for no acres of land described as follows:

Ninth: Remarks: That _____

H. H. Allen Jr
(Sign here)

Subscribed and sworn to before me this 25th day of July 1917.

[Signature]
U.S. Commissioner Notary Public

My commission expires _____

12423

State of Idaho
ENGINEERING DEPARTMENT
BOISE

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

H. H. Allen, Jr.,
Baranof, Idaho.

Boise, Idaho,
June 21, 1917

Dear Sir:—

Under the terms of your permit No. 12423-----, you are required to complete your diversion works on or before Aug. 19, 1917. I enclose herewith blank affidavit to be filled out, sworn to by you before a Notary Public or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, together with a fee of \$5.00, a Certificate of Completion will be issued to you.

The certificate to be issued under this proof will not give a perpetual right to the use of water for which application was made, as it only confirms the completion of works of a capacity to divert and convey to the place of intended use a certain amount of water. The law requires that another proof be submitted when the water has been fully applied to a beneficial use, at which time license is issued for the amount of water actually in use. Information in regard to this last proof will be furnished on request.

Yours truly,

J. H. SMITH,

State Engineer.

12423

State of Idaho
ENGINEERING DEPARTMENT
BOISE

H. H. Allen, Jr.

June 21, 1917

Banida, Idaho.

Dear Sir:

I enclose herewith blank notice of proof of Application of Water to Beneficial Use under your Permit No. 12423, which kindly fill out and return to me at least 60 days before the date upon which you wish to submit proof. The date of the proof is set out in your permit, and if proof is submitted subsequent to that your priority will be advanced a time equal to the difference of the time between the date proof should have been submitted and the date it is submitted.

Yours truly,

J. H. SMITH

State Engineer

12423

State of Idaho
ENGINEERING DEPARTMENT
BOISE

Permit #12423- Allen, Jr.

Mr. H.H. Allen, Jr.,
Banida, Idaho.

Boise, Idaho,

August 19, 1916.

Dear Sir:

I enclose herewith above numbered permit. BE SURE TO NOTE LIMITATIONS AND
CONDITIONS OF SAME as given under approval of State Engineer on the third page.

J.H. Smith,

State Engineer

12423

MO 200
Banda Ida
17635 Aug 4, 1916

Mr. J. H. Smith

Dear Sir,

I enclosed you will find a \$1.⁰⁰ money order that should accompanied this ~~letter~~ application.

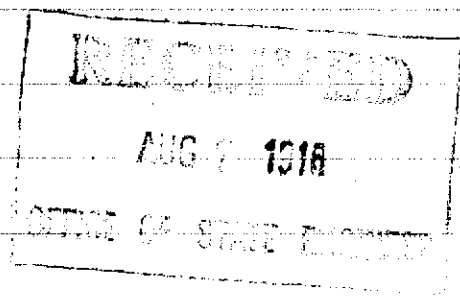
Also the question you asked about paragraph No. 3. The spring is a tributary of no named stream. the watershed is some of the lower hills east of Oxford Station this being about 2 miles distance. The foot hills have no name as I can find out.

yours Truly

H. H. Allen Jr.

Banda

Ida.



12423